

118TH CONGRESS
2D SESSION

H. R. 7013

To amend the Federal Water Pollution Control Act with respect to the scope of national pollutant discharge elimination system permit discharge authorizations and the expression of effluent limitations, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 17, 2024

Mr. DUARTE (for himself and Mr. ROUZER) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To amend the Federal Water Pollution Control Act with respect to the scope of national pollutant discharge elimination system permit discharge authorizations and the expression of effluent limitations, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Confidence in Clean
5 Water Permits Act”.

6 **SEC. 2. COMPLIANCE WITH PERMITS.**

7 Section 402(k) of the Federal Water Pollution Con-
8 trol Act (33 U.S.C. 1342(k)) is amended—

1 (1) by striking “(k) Compliance with” and in-
2 serting the following:

3 “(k) COMPLIANCE WITH PERMITS.—

4 “(1) IN GENERAL.—Subject to paragraph (2),
5 compliance with”; and

6 (2) by adding at the end the following:

7 “(2) SCOPE.—For purposes of paragraph (1),
8 compliance with the conditions of a permit shall be
9 considered compliance with respect to a discharge
10 of—

11 “(A) any pollutant for which an effluent
12 limitation is included in the permit; and

13 “(B) any pollutant for which an effluent
14 limitation is not included in the permit that
15 is—

16 “(i) specifically identified as controlled
17 or monitored through indicator parameters
18 in the permit, the fact sheet for the per-
19 mit, or the administrative record relating
20 to the permit;

21 “(ii) specifically identified during the
22 permit application process as present in
23 discharges to which the permit will apply;
24 or

1 “(iii) whether or not specifically iden-
2 tified in the permit or during the permit
3 application process—

4 “(I) present in any waste
5 streams or processes of the point
6 source to which the permit applies,
7 which waste streams or processes are
8 specifically identified during the per-
9 mit application process; or

10 “(II) otherwise within the scope
11 of any operations of the point source
12 to which the permit applies, which
13 scope of operations is specifically iden-
14 tified during the permit application
15 process.”.

16 **SEC. 3. EXPRESSION OF WATER QUALITY-BASED EFFLUENT**
17 **LIMITATIONS.**

18 Section 402 of the Federal Water Pollution Control
19 Act (33 U.S.C. 1342) is amended by adding at the end
20 the following:

21 “(t) **EXPRESSION OF WATER QUALITY-BASED EF-**
22 **FLUENT LIMITATIONS.**—The Administrator (or a State,
23 in the case of a permit program approved by the Adminis-
24 trator) may not include any water quality-based limitation
25 on a discharge of a pollutant in a permit under this section

1 except in the form of an effluent limitation that speci-
2 fies—

3 “(1) the pollutant to which it applies; and

4 “(2) the numerical limit on the discharge of
5 such pollutant, or the precise waterbody conditions
6 to be attained with respect to such pollutant, re-
7 quired to comply with the permit.”.

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